

Message Text

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43

ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 MMS-01 HEW-02 ERDA-05 CIAE-00

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TAGS: CSCE., PFOR, XG

SUBJECT: CSCE: RUSSIAN TRANSLATION DISCREPANCY IN HUMAN RIGHTS
PRINCIPLE

1. BEGIN SUMMARY: RUSSIAN TRANSLATION OF SEVENTH PRINCIPLE
IN CSCE DECLARATION ON PRINCIPLES ENTITLED "RESPECT FOR HUMAN
RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE FREEDOM OF
THOUGHT, CONSCIENCE, RELIGION OR BELIEF" CONTAINS ONE IMPORTANT
SUBSTANTIVE DIFFERENCE AFTER SOVIETS AT LAST MINUTE REFUSED
TO CONFORM THEIR TEXT TO THE ENGLISH IN ORDER TO COMPENSATE
FOR A "MISTAKE" DURING THE NEGOTIATIONS. END SUMMARY.,

2. ENGLISH ORIGINAL OF HUMAN RIGHTS PRINCIPLE CONTAINS
WHAT MANY DELS VIEW TO BE AN IMPORTANT PARAGRAPH RECOGNIZING
THE RIGHT OF THE INDIVIDUAL TO PRACTICE RELIGION OR BELIEF
IN COMMUNITY WITH OTHERS, AS FOLLOWS:

BEGIN TEXT: WITHIN THIS FRAMEWORK THE PARTICIPATING STATES
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WILL RECOGNIZE AND RESPECT THE FREEDOM OF THE INDIVIDUAL TO

PROFESS AND PRACTISE, ALONE OR IN COMMUNITY WITH OTHERS, RELIGION OR BELIEF ACTING IN ACCORDANCE WITH THE DICTATES OF HIS OWN CONSCIENCE. END TEXT.

3. RUSSIAN TEXT SUBSTITUTES "PROFESS, ALONE OR IN COMMUNITY WITH OTHERS, RELIGION OR FAITH ETC." FOR "PROFESS AND PRACTISE, ALONE OR IN COMMUNITY WITH OTHERS, RELIGION OR BELIEF". DURING NEGOTIATIONS ON PRINCIPLE, WESTERN DELS HAD ACCEPTED IDEA THAT RUSSIAN TEXT COULD USE ONE VERB IF IT ADEQUATELY EXPRESSED BOTH "PROFESS AND PRACTISE" CONCEPTS. WESTERN LANGUAGE EXPERTS, HOWEVER, DID NOT THINK RUSSIAN VERB WAS ADEQUATE IN THIS REGARD AND USE OF WORD "VIERA" ("RELIGIOUS FAITH") FOR "BELIEF" WAS UNANIMOUSLY REGARDED AS A FLAT-OUT CHEAT.

4. DURING NEGOTIATIONS WITH SOVIETS ON VARIOUS RUSSIAN-LANGUAGE DISCREPANCIES, IT BECAME APPARENT THAT ANY CHANGE OF THIS RUSSIAN TRANSLATION WOULD BE STRENUOUSLY RESISTED, THOUGH SOVIETS INDICATED THEY WOULD GENERALLY BE ACCOMMODATING ON TRANSLATION ISSUES. HOWEVER, AT MEETING ON RUSSIAN LANGUAGE PROBLEMS ON JULY 19, FOLLOWING CONFIRMATION OF STAGE III DATE, SOVIET REP CONFESSED IN CONFIDENCE THAT HIS GOVERNMENT WOULD BE UNABLE TO ADJUST SOVIET TRANSLATION ON THIS PARTICULAR POINT. HE EXPLAINED THAT SOVIET LEGAL ADVISER HAD BEEN RESPONSIBLE FOR ADDITION OF WORD "BELIEF" TO TITLE OF PRINCIPLE IN HELSINKI, WHICH SOVIETS TOOK TO MEAN ATHEISM IN THIS CONTEXT. SOVIETS CONCEIVED OF THE PRINCIPLE AS DEALING ONLY WITH RELIGIOUS BELIEF AS IN ARTICLE 18 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, ON WHICH THEY THOUGHT PRINCIPLE WAS TO BE MODELED. BUT IN GENEVA THE TEXT OF THE ABOVE-QUOTED SENTENCE WENT MUCH FARTHER, AND SOVIETS REALIZED THAT THEY HAD MADE AN ERROR IN ALLOWING CONCEPT OF "BELIEF" TO BECOME ATTACHED TO THE PRINCIPLE. HOWEVER, THE VATICAN, IN PRIVATE TALKS, HAD SUGGESTED THE RUSSIAN WORD "VIERA" AS A TRANSLATION FOR "BELIEF" AND SOVIETS QUICKLY ACCEPTED AS A WAY OUT OF DILEMMA. IT WAS ON THIS BASIS ONLY THAT "THE VERY HIGHEST LEVEL" PERMITTED THE DELEGATION TO ACCEPT THE SENTENCE.

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5. SOVIET DEL EXPLAINED THAT THEY COULD NEVER ACCEPT THE IDEA THAT INDIVIDUALS HAVE THE RIGHT TO PRACTISE FREEDOM OF BELIEF IN COMMUNITY WITH OTHERS BECAUSE OF THE SERIOUS INTERNAL DISRUPTION THIS MIGHT CAUSE.

6. WESTERN DELS EXPRESSED BITTERNESS AT THIS OUTCOME AND UK DEL STATED HE WOULD FILE AN INTERPRETIVE STATE-

MENT ON THIS PROBLEM. SUCH A STATEMENT WAS LATER
ENTERED IN COMMITTEE ONE "SEPTEL) WITH WHICH A NUMBER
OF WESTERN DELS, INCLUDING US, ASSOCIATED SELVES.DALE

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